


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------|----------------------------------------------------------|------------------------------------------------------------------------------------|-----------------|--------------------|
| In re Application of: | Hampl, Jr., et al. |  | Group Art Unit: | 1731 |
| Serial No: | 10/618,096 | | Examiner: | Dionne Walls Mayes |
| Filed: | July 11, 2003 | | Our Account No: | 04-1403 |
| Confirmation No: | 4596 | | Customer No: | 22827 |
| Title: | Smoking Articles Having Reduced Carbon Monoxide Delivery | | | |

Commissioner for Patents
U.S. Patent and Trademark Office
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Sir:

The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

1. ☒ Attached hereto is:

- a. ☒ A list of materials for consideration per Rule 98(a)(1): 1 page(s) citing 11 item(s)
- b. ☒ A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98 and/or as indicated on the attached list(s):
1 item(s) attached
- c. ☐ For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: _____

☐ Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.

2. ☒ This Information Disclosure Statement is being filed [CHECK ONE]:

- a. ☐ WITHIN THREE MONTHS of the application filing date, national stage date of entry, or along with or after a request for continued examination, OR BEFORE the mailing date of a first Office Action on the merits, which ever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.
- b. ☒ AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:
 - i. ☐ Certification per Rule 97(e); OR
 - ii. ☒ Filing Fee per Rule 17(p)\$180.00
- c. ☐ AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE per Rule 97(d) submitted herewith is:
 - i. Certification per Rule 97(e); AND
 - ii. Filing fee per Rule 17(p)\$180.00

3. ☐ Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification statement [CHECK ONE]:

- a. ☐ That each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR
- b. ☐ That no item of information contained in this Information Disclosure Statement was cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable

inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

CERTIFYING PARTY (if different from bottom signature; omission here indicates that certification is being made by signer per signature below).

Name: _____ Signature: _____
Address: _____ Date: _____

4.[x] DEPOSIT ACCOUNT AUTHORIZATION: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

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By: Christina L. Mangelsen, Patent Agent

Reg. No: 50,244

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Date: April 3, 2006



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| (Rev. 5/92) Information Disclosure Statement List By Applicant(s) Under 37 CFR Section 1.98(a) (1) (Use several sheets if necessary) | Attorney Docket Number: | Serial Number: |
| | SMD-135 | 10/618,096 |
| | Applicant: Hampl, Jr., et al. | |
| | Filing Date: July 11, 2003 | Group Art Unit: |
| | Confirmation No: 4596 | 1731 |

NOTE: If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]

(1) This item is cumulative, per Rule 98(c)

(2) A copy of this item was previously cited by or submitted to the U.S. Patent and Trademark Office in:
USSN _____, filed _____, or
USSN _____, filed _____;
Relied on under 35 U.S.C. Section 120, per Rule 98(d)

(3) Both reasons (1) and (2) apply

(4) No legible complete copy is possessed, in custody of controlled, or readily available

(5) Per the U.S. Patent and Trademark Office's waiver of Rule 98(a)(2)(i), the item is a U.S. patent or patent application publication, and the present application was filed after June 30, 2003.

| U.S. PATENT DOCUMENTS | | | | | | | | | | |
|-----------------------|-------------------|---------------|---|---|---|---|---|---|------------|-----------|
| EXAMINER INITIALS | PATENTEE NAME | PATENT NUMBER | | | | | | | ISSUE DATE | COPY NOTE |
| | Dixit | 4 | 5 | 9 | 0 | 9 | 5 | 5 | 05/27/1986 | 5 |
| | Mathews et al. | 4 | 6 | 2 | 2 | 9 | 8 | 3 | 11/18/1986 | 5 |
| | Hampl, Jr. et al. | 4 | 8 | 0 | 5 | 6 | 4 | 4 | 02/21/1989 | 5 |
| | Montoya et al. | 5 | 0 | 9 | 2 | 3 | 5 | 3 | 03/03/1992 | 5 |
| | Gentry | 5 | 1 | 3 | 1 | 4 | 1 | 6 | 07/21/1992 | 5 |
| | Kasbo et al. | 5 | 1 | 7 | 0 | 8 | 0 | 7 | 12/15/1992 | 5 |
| | Chao et al. | 5 | 5 | 4 | 0 | 2 | 4 | 2 | 07/30/1996 | 5 |
| | Raker et al. | 5 | 6 | 2 | 1 | 4 | 2 | 5 | 11/16/1993 | 5 |
| | Fournier et al. | 6 | 2 | 8 | 9 | 8 | 9 | 8 | 09/18/2001 | 5 |
| | Hampl, Jr. et al. | 6 | 5 | 6 | 8 | 4 | 0 | 3 | 05/27/2003 | 5 |

| U.S. PATENT APPLICATION PUBLICATIONS | | | | | | | | | | |
|--------------------------------------|------------------|--------------------|--|--|--|--|--|--|------------------|-----------|
| EXAMINER INITIALS | APPLICANT'S NAME | PUBLICATION NUMBER | | | | | | | PUBLICATION DATE | COPY NOTE |
| | | | | | | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | | | | | | | | |
|--------------------------|--|---------|-----------------|---|---|---|---|---|---|------------------|-------------|----|-----|-----------|--|
| EXAMINER INITIALS | | COUNTRY | DOCUMENT NUMBER | | | | | | | PUBLICATION DATE | TRANSLATION | | | COPY NOTE | |
| | | | | | | | | | | | YES | NO | N/A | | |
| | | WO | 0 | 3 | 0 | 9 | 2 | 4 | 1 | 6 | 11/13/2003 | | | X | |
| | | | | | | | | | | AI | | | | | |

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|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| EXAMINER INITIALS | OTHER DOCUMENTS | COPY NOTE |
| | Specify author (if any), Title, Pertinent Pages, Date & Place of Publication: | |
| EXAMINER | DATE CONSIDERED | |
| Examiner: | initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant. | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hampl, Jr. et al.

Docket No: SMD-135

Serial No: 10/618,096

Group No: 1731

Confirmation No: 4596

Examiner: Dionne Walls Mayes

Customer No: 22827



Filed: July 11, 2003

Date: April 3, 2006

For: Smoking Articles Having Reduced Carbon Monoxide Delivery

RELATED U.S. PATENT APPLICATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The following commonly assigned U.S. Patent Application is being cited to the Examiner for review and consideration. Once the application has been reviewed, it is requested that the Examiner place his or her initial to the left of the identified patent on the list document to indicate that the specific patent application has been considered.

RELATED U.S. APPLICATION

| <u>Examiner's Initial</u> | <u>Inventor</u> | <u>Serial Number</u> | <u>Filing Date</u> | <u>Title of Application</u> |
|-------------------------------|--------------------|--------------------------|--------------------|-------------------------------------------------------------------------------------|
| _____ | Joseph T. Wanna | 11/052,454 (SMD-145) | 02/07/2005 | Smoking Articles Having Reduced Analyte Levels and Process for Making Same |